

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO.76/2005

Ms. Kiran Kamat alias Kiran P. Parrikar,
major, married,
r/o. C/o. B-365, House of Lords,
Opp. Goa Marriot Resort,
Miramar, Panaji, Goa. Appellant.

V/s.

Mr. Molu Vitola Camotim alias
Pankaj Kamat,
major, married, r/o. Opp. D.B.M. School,
Near Dena Bank, Sonarabhat,
Verem, Reis Magos, Goa.
also Proprietor Filmax Marketing,
Gajanan Smruti Building,
Near Mapusa Clinic,
Mapusa, Bardez, Goa. Respondent.

Mrs. A. A. Agni, Advocate for the appellant.

Mr. M. B. D'Costa, Advocate for the respondent.

CORAM : R.S. MOHITE, J.

DATE : JULY 12, 2007.

ORAL JUDGMENT :

Heard both sides. Admit. By consent heard finally.

2. This is an appeal filed against an order passed by the Civil Judge,
Sr. Division, Panaji, Goa in Civil Misc. Application No.102/2004/B in

Matrimonial Petition No.16/04/B, rejecting an application of the plaintiff-wife seeking a temporary injunction restraining the defendant from operating a Bank locker. The appellant states that she will be satisfied if a joint inventory is directed to be taken in respect of the Bank locker and if the locker is kept sealed, pending the disposal of Matrimonial Petition No. 16/04/B subject to any final order that may be passed in the matrimonial petition. The Advocate for the defendant has no objection. In the circumstances, the appeal from order is disposed of with the following directions :

That the plaintiff and the defendant are at liberty to jointly apply to the Bank i.e. Goa Urban Co-operative Bank Ltd., Mapusa Branch for opening the locker No.157 in their joint presence and in the presence of their Advocates.

If they make such an application, the Bank will permit opening of the locker in presence of both the parties. Both the Advocates agree to remain present on the day and time when the locker is to be opened and the Advocate will make a joint inventory, signed by both the Advocates.

After the inventory is made, the locker will be sealed without taking out any of the articles and will remain sealed during the pendency of the Matrimonial Petition No. 16/04/B. The sealing will be subject to any final order that might be passed in the said matrimonial petition. With the aforesaid directions, the appeal from order stands finally disposed off.

R.S. MOHITE, J.

ssm.